

# KING & SPALDING

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August 4, 2025

## BY ECF

Hon P. Kevin Castel  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

**Re: FCS Advisors, LLC v. Theia Group, Inc. et al; Case No. 1:21-cv-06995-PKC**

Dear Judge Castel:

On behalf of Michael Fuqua, the Receiver, I write to respectfully request that the Court initiate contempt proceedings against LTS for its failure to comply with the Court's *Order Granting Motion of Receiver for Entry of an Order (I) Enforcing the Sale Order and Asset Purchase Agreement and (II) Compelling Performance by LTS Systems, LLC* (Dkt. 509), dated July 29, 2025 (the "Order"), which required them to pay the Assumed Liabilities within three (3) business days.

As of the end of Friday, August 1, 2025—the third business day after entry of the Order—LTS failed to make the required payment to the Receiver for the Assumed Liabilities. The deadline for compliance has passed, and as of the filing of this letter, no funds have been received. The Receiver sent a message to LTS and its counsel (as well as the business team at Brevet Capital Management, LLC and FCS Advisors, LLC with whom he has interacted with during the course of this Receivership) seeking payment and a response by noon ET today, August 4, 2025, but he has not received payment or a response.

July 31, 2025

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LTS's failure to comply with the Court's clear directive constitutes a willful disregard of the Court's authority and has caused ongoing harm to the Receiver and the Receivership Entities. Accordingly, we respectfully request that the Court:

1. Issue an Order to Show Cause why LTS should not be held in contempt;
2. Schedule a hearing at the Court's earliest convenience;
3. Impose appropriate sanctions to compel compliance and address the prejudice caused by LTS's noncompliance.

We appreciate the Court's attention to this matter and stand ready to provide any additional information or documentation the Court may require.

Respectfully submitted,

*/s/ Thad Wilson*

Thad Wilson

cc: All Counsel of Record (via ECF)